



Attorney Docket No. 1521.2
Confirmation No. 4134

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Wyckoff

Art Unit: 3743

Serial No. 10/090,268

Confirmation No. 4134

Filed: March 4, 2002

Examiner: A. Ragonese

For: SLEEP APNEA DEVICE AND METHOD THEREOF

October 3, 2005

Commissioner for Patents
Alexandria, VA 22313-1450

PETITION FOR ONE-MONTH EXTENSION OF TIME
UNDER 37 CFR 1.136(A)

Sir:

This is a request under the provisions of 37 CFR 1.136(a) for a one-month extension of time to file a response in the above application. Enclosed is a credit card payment form for \$55, the required small-entity fee under 37 CFR 1.17(a)(1). The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 50-0332.

Respectfully submitted,

Jesse B. Ashe, III
Reg. No. 44,513

10/06/2005 BABRAHA1 00000104 10090268

01 FC:2251

60.00 OP

021176

SUMMA, ALLAN & ADDITON, P.A.
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Charlotte, North Carolina 28277-2162

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10/06/2005 BABRAHA1 00000105 500332 10090268

01 FC:2251

5.00 DA

55.00 OP

CERTIFICATE OF MAILING UNDER 37 CFR 1.10

Express Mail Label No.: EV 612632505 US

Date of Deposit: October 3, 2005

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated in an envelope addressed to the Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on October 3, 2005.

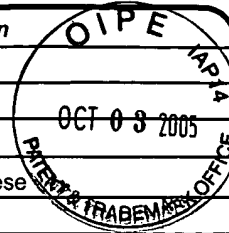
Patricia Summers

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL
For FY 2005****Complete if Known**

Application Number	10/090,268
Filing Date	March 4, 2002
First Named Inventor	Robert Wyckoff
Examiner Name	Andrea M. Ragonese
Art Unit	3743
Attorney Docket No.	New Docket # 1521.2

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 55.00

METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☐ Deposit Account Deposit Account Number: 50-0332 Deposit Account Name: SUMMA, ALLAN & ADDITON, P.A.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☐ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☐ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES**Fee Description**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims **Extra Claims** **Fee (\$)** **Fee Paid (\$)**

_____ - 20 or HP = _____ x _____ = _____

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims **Extra Claims** **Fee (\$)** **Fee Paid (\$)**

_____ - 3 or HP = _____ x _____ = _____

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets **Extra Sheets** **Number of each additional 50 or fraction thereof** **Fee (\$)** **Fee Paid (\$)**

_____ - 100 = _____ / 50 = _____ (round up to a whole number) x _____ = _____

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): PETITION FOR ONE MONTH EXTENSION OF TIME UNDER 37CFR 1.136 \$55.00

SUBMITTED BY

Signature	<i>Jesse B. Ashe, III</i>	Registration No. (Attorney/Agent) 44,513	Telephone 704-945-6703
Name (Print/Type)	Jesse B. Ashe, III	Date 10/03/2005	

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.